



U.S. Immigration
and Customs
Enforcement

September 9, 2005

News Release

FORMER SAUGUS COUPLE SENTENCED FOR IDENTITY THEFT AND BANK FRAUD

BOSTON—A husband and wife, formerly of Saugus and now residing in Malden, were sentenced yesterday in federal court for identity theft, bank fraud, credit card fraud, immigration fraud and various other federal offenses.

United States Attorney Michael J. Sullivan; Peter Zegarac, acting inspector in charge of the U.S. Postal Inspection Service in New England; Gary Mathison, special agent in charge of the U.S. Department of Education's Office of Inspector General in New England; Matthew J. Etre, acting special agent in charge of U.S. Immigration and Customs Enforcement (ICE) in New England; Leo Sullivan, special agent in charge of the U.S. Social Security Administration's Office of Inspector General in New England; James MacKay, Chief of the Saugus Police Department; Kathleen O'Toole, Commissioner of the Boston Police Department; and Leo A. Sacco, Chief of the Medford Police Department, announced that Itza Ruiz, 39, and Heriberto Ruiz, age 48, both residing at 89 Dexter Street, Malden, Mass., and formerly of 226 Essex Street, Saugus, Mass., were sentenced by U.S. District Judge Rya W. Zobel. Itza and Heriberto Ruiz were each sentenced to time served. Itza Ruiz was also sentenced to 2 years of supervised release, the first six months of which are to be served in home confinement. Heriberto was also sentenced to one year of supervised release. Additionally, Itza Ruiz was ordered to pay \$18,083 in restitution to creditors.

On April 4, 2005, the defendants pleaded guilty to a twenty-three-count Indictment, charging them with Identity Theft, Bank Fraud, Credit Card Fraud, and Making False Statements in Documents required by Federal Immigration Law. The twenty-three-count Indictment also charged Itza Ruiz with Student Financial Aid Fraud, Making False Statements in Loan Applications, Making False Statements and Entries in an INS Employment Eligibility Verification Form, and Misrepresentation of a Social Security Account Number.

At the earlier plea hearing the prosecutor told the Court that had the case proceeded to trial, the evidence would have proven that over a three-year period, Itza Ruiz stole the name and personal identifiers of a woman and used the stolen identity to purchase a \$318,250 mortgage for her Saugus home. Itza Ruiz used the stolen identity to obtain student financial aid PELL grants and supplemental educational opportunity grants to attend college, and obtained employment at a time when she was not a legal permanent U.S. resident. Itza Ruiz also

obtained several credit cards and personal loans using the stolen identity. In addition, Itza Ruiz obtained two residential telephone numbers through Verizon using the stolen identity, and opened a checking account at St. Jean's Credit Union.

Heriberto Ruiz aided and abetted Itza Ruiz in committing these offenses, including personally applying for, and cosigning, the mortgage loan for their Saugus home.

Additionally, when Itza Ruiz applied for U.S. citizenship, Itza Ruiz and Heriberto Ruiz, her sponsor, provided false information upon which the now-defunct U.S. Immigration and Naturalization Service (INS) relied in issuing Itza Ruiz a green card.

The evidence would have proven that the victim of the identity theft learned that her identity had been stolen when she attempted to obtain financing for a new car, and was subsequently denied the financing due to a negative TransUnion Credit Report rating that reported she had an outstanding mortgage of \$317,382 for property located at 226 Essex Street in Saugus. The victim was able to track down Itza Ruiz and Heriberto Ruiz through the credit report she had obtained, which listed telephone numbers and addresses for the debtors.

In early August of 2003, the victim called Itza Ruiz and Heriberto Ruiz and confronted them about the theft of her identity and warned them that she was going to the police. The evidence would prove that the couple asked the victim for some time to fix the problem and, thereafter, Itza and Heriberto Ruiz proceeded to systematically undo Itza Ruiz's false identity and to pay off the exorbitant number of credit cards and loans obtained under the victim's personal identifiers. As of today's date, there is still an outstanding balance of \$17,715 fraudulently remaining under the victim's personal identifiers.

The case was investigated by the Massachusetts Identity Theft/Financial Crimes Task Force led by the U.S. Postal Inspection Service with the assistance of the U.S. Department of Education's Office of Inspector General, U.S. Immigration and Customs Enforcement, the U.S. Social Security Administration, and the Saugus, Boston and Medford Police Departments. It is being prosecuted by Assistant U.S. Attorney Antoinette E.M. Leoney in Sullivan's Major Crimes Unit.

ICE

U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.